

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
Intaglio Vivi-Color	)	<b>ADMINISTRATIVE ORDER</b>
Alliance, Limited	)	
4014 Tytus Avenue	)	<b>EPA-5-00-113(a)-OH-01</b>
Middletown, Ohio 45042	)	
	)	
Proceeding Under	)	
Section 113(a)(3) of	)	
the Clean Air Act,	)	
42 U.S.C. § 7413(a)(3)	)	

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**Administrative Order**

1. The Director of the Air and Radiation Division, United States Environmental Protection Agency (U.S. EPA), Region 5, is issuing this order to Intaglio Vivi-Color Alliance, Limited (IVCA) under Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3).

**Statutory Authority**

2. The Administrator of U.S. EPA may require any person who owns or operates an emission source to provide information required by the Administrator under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

3. Under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), the Administrator of U.S. EPA may issue an order requiring compliance to any person who has violated or is violating any requirement of an information request issued under Section 114 of the Act (Section 114 Request). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

**Findings**

4. IVCA owns and operates a circuit board manufacturing facility at 4014 Tytus Avenue, Middletown, Ohio. Until recently, this facility did business as Converters Gravure Cylinder Service, Incorporated, but at all times relevant to this proceeding, it was owned and operated by IVCA.

5. IVCA owns and operates chromium electroplating tanks at its

Middleton, Ohio facility. IVCA owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1).

6. On October 12, 1999, the Director of the Air and Radiation Division, U.S. EPA, Region 5, issued a Section 114 Request to IVCA. Exhibit 1 of this Order is a copy of the Section 114 Request.

7. The Section 114 Request required IVCA to respond to the request within 15 calendar days after IVCA received the Section 114 Request.

8. IVCA received the Section 114 Request on October 18, 1999.

9. IVCA violated the Section 114 Request by failing to respond to the Section 114 request by November 1, 1999.

#### **Compliance Program**

10. IVCA must comply with all requirements of the Section 114 request. Specifically, IVCA must provide all information requested in Appendix A, questions 1 through 8 of the Section 114 Request, as well as Option A or Option B within 10 calendar days of receipt of this Order.

11. IVCA must send all reports required by this Order to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604.

#### **General Provisions**

12. This Order does not affect IVCA's responsibility to comply with other local, State, and Federal laws and regulations.

13. This Order does not restrict U.S. EPA's authority to enforce Section 114 of the Act, or any other section of the Act.

14. Nothing in this Order limits U.S. EPA's authority to seek appropriate relief, including penalties under Section 113 of the Act, 42 U.S.C. § 7413, for IVCA's violations of the Section 114 Request.

15. Failure to comply with this Order may subject IVCA to penalties of up to \$27,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413.

16. The terms of this Order are binding on IVCA, its officers, directors, agents, employees, assignees, authorized representatives, and successors. IVCA must give notice of this Order to any successors in interest, prior to transferring ownership, and must simultaneously verify to U.S. EPA, at the above address, that IVCA has given the notice.

17. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation.

18. U.S. EPA may use any information submitted under this Order in an administrative, civil, or criminal action.

19. Section 113(a)(4) of the Act, 42 U.S.C. § 7413(a)(4), states that an Order shall not take effect until the person to whom it is issued has had an opportunity to confer with U.S. EPA about the alleged violation. Therefore, U.S. EPA is giving IVCA an opportunity to confer with U.S. EPA concerning this Order. IVCA may schedule a conference with U.S. EPA by calling Bill MacDowell at (312) 886-6798 within 10 calendar days of IVCA's receipt of this Order.

20. However, if the U.S. EPA is not contacted within 10 calendar days of IVCA's receipt of this order, the order shall become effective on the tenth day.

1-20-2000

Date



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Bharat Mathur, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent the Administrative Order, EPA Order No. **EPA-5-00-113(a)-OH-01**, by Federal Express Mail, Return Receipt Requested, to:

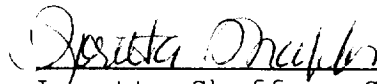
Roger Weiler, President  
Intaglio Vivi-Color Alliance, Limited  
4014 Tytus Avenue  
Middletown, Ohio 45042

I also certify that I sent a copy of the Administrative Order, EPA Order No. **EPA-5-00-113(a)-OH-01**, by First Class Mail to:

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
Central District Office  
1800 Watermark Drive  
Columbus, Ohio 43216

and Ajay Bahri, Environmental Compliance Specialist  
Hamilton County Environmental Services  
250 Howard Taft Road  
Cincinnati, Ohio 45219

on the 27<sup>th</sup> day of January 2000.

  
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Loretta Shaffer, Secretary  
AECAS, (MN/OH)

FedEX Tracking Number: 804326838861